

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LUIS FILIPE DE OLIVIERA,

Plaintiff,

v.

SCARLET MONIQUE OLIVEIRA

SANTOS,

Defendant.

Civil No. 24-12127-LTS

ORDER
ON NEXT SCHEDULED HEARING

September 19, 2024

SOROKIN, J.

On August 19, 2024, Luis Filipe de Oliveira (“Plaintiff”) brought an action under the Hague Convention alleging wrongful removal and retention of his child by Scarlet Monique Oliveira Santos (“Defendant”). Plaintiff sought, ex parte, and was granted a Temporary Restraining Order prohibiting the removal of the child from the Commonwealth of Massachusetts and requiring Defendant to surrender the child’s passport pending a hearing on the merits of the Complaint. The TRO provided the option for Defendant, on short notice, to obtain a hearing contesting its provisions. Defendant has not done so. At various points to date, the Court has extended the TRO, which remains in effect. On September 12, 2024, the United States Marshal Process served the Complaint and TRO on Defendant personally at her residence. Doc. No 22. In addition, Tyler Quesnel, the Defendant’s attorney in a state court matter, agreed to waive formal service. Doc. No. 18. On September 9, 2024, counsel for the Plaintiff provided

him the service package including “documents for service” via email and certified mail. Doc. No. 15.

At a conference on September 19, 2024, convened to establish a schedule to govern this case, neither Defendant nor defense counsel appeared. Plaintiff’s counsel reported that Defendant’s counsel had accepted service, but was not appearing because he was not yet a member of the bar of this Court though his application was in process. In these circumstances, the Court will convene a further hearing on **September 24, 2024 at 4:00 p.m.** to discuss the schedule for this matter. Attorney Tyler Quesnel shall appear. The Court will permit him to do so in advance of his admission to the bar of the District Court. The hearing will be in-person but either attorney may appear by Zoom by making arrangements with Deputy Clerk, Samantha Dore. Finally, the Court notes that Defendant has deposited the child’s passport as ordered. Doc. No. 23. The Clerk shall (a) add to the docket Attorney Quesnel as counsel for the defendant and (2) email as well as mail a copy of this order to Attorney Quesnel.

SO ORDERED.

/s/ Leo T. Sorokin
United States District Judge